

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 9 (Revised)

ITEM

Consideration Of Scope Of Work For The Rubberized Asphalt Concrete Engineering And Technical Assistance Contract

I. ISSUE/PROBLEM STATEMENT

At the December 2004 Special Waste Committee Meeting, staff presented a proposal for activities designed to increase the use of rubberized asphalt concrete (RAC) in California. RAC is one of the predominate, civil engineering related uses for waste tires, which shows significant promise for increasing the state's tire diversion rate. The proposal included: contracting with a marketing expert to promote a statewide education and marketing effort targeting policy makers as well as technical staff, combined with a separate focused effort to first-time RAC users. The activities will be carried out with the combined effort of separate contractors for the marketing; technical education/assistance; and the Rubberized Asphalt Concrete Technology Centers (Tech Centers).

This item proposes that the California Integrated Waste Management (Board) approve a Scope of Work (SOW) for the Rubberized Asphalt Concrete Engineering and Technical Assistance Contract. This contract is an important part of the Board's new direction for the delivery of Tire Program services aimed at increasing the use of RAC. Through this contract the Board will hire an engineering consultant with expertise in RAC processes and construction, to expand the knowledge of RAC engineering benefits and correct application procedures via technology transfer, design, and technical assistance to local government agencies. The engineering consultant will also provide construction management oversight on the proposed first-time user RAC grant projects.

The contract may be used to fund research projects. These projects may be performed in partnership with local government and/or state agencies. The contract may also be used to provide technical assistance to Caltrans and/or industry as needed in support of market development activities.

II. ITEM HISTORY

In July 2003, the Board approved the *Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition)* (Five-Year Plan). The Five-Year Plan allocated \$600,000 for the Tech Centers for Fiscal Year (FY) 2004/2005. At its December 2004, meeting the Special Waste Committee approved staff's recommendation for the RAC Program Options, which included a redirection of \$200,000 from the FY 2004/2005 Tech Centers allocation to fund the RAC Engineering and Technical Assistance Contract. Of the remaining \$400,000 of the original Tech Centers allocation, \$225,000 was encumbered into a new contract for the Southern Tech Center and \$175,000 was redirected to fund a RAC marketing contract.

III. OPTIONS FOR THE BOARD

1. Approve the proposed Scope of Work for the RAC Engineering and Technical Assistance Contract, Attachment 1 and adopt Resolution Number 2005-37.
2. Approve the Scope of Work with specified changes and adopt Resolution 2005-37.

IV. STAFF RECOMMENDATION

Staff recommends the Board approve Option one and adopt Resolution 2005-37.

V. ANALYSIS

A. Key Issues and Findings

Since June 1997, the Board has primarily conducted its RAC program activities through the Tech Centers. An evaluation of the Tech Centers was completed by Sjoberg Evashenk Consulting (SEC) in March 2004 and the findings were presented at the April 2004 Board meeting. The SEC evaluation recommended, and staff concurred, that by revisiting the existing processes for RAC program delivery, the Board could improve the overall impact and results of the RAC program. At the December 2004 Special Waste Committee meeting, staff recommended, and the Committee concurred, on a revamping of the delivery of the RAC program services to local governments via proposed contracts for direct marketing and technical assistance efforts. The contractor will provide RAC technology transfer and technical assistance to local governments.

The December 2004 staff proposal included \$200,000 from FY 2004/2005 for funding the RAC Engineering and Technical Assistance Contract. However, since the response to the Board's most recent SB 1346 RAC grant program offering has been much greater than expected, and with the planned start of the first-time user RAC grant program (and associated focused education program) in FY 2005/2006, staff anticipates that the technical assistance effort under this contract will be much greater than originally estimated. Staff also feels that the initial demand for technical assistance under this contract may exceed the resources available under the original allocation and therefore additional funds are necessary to ensure that the contractor can commit sufficient resources to meet the projected initial demand. Therefore, staff is proposing an increase in the initial funding for this contract from \$200,000 to \$450,000 to meet this projected increase in effort. In addition to the previously approved redirection of \$200,000 from the RACTC line item, staff requests that the Board redirect \$250,000 from the FY 2004/2005 Civil Engineering Uses line item in the Market Development Section of the Five-Year Plan to support this contract. The use of RAC is just one of several civil engineering applications available to local government agencies.

B. Environmental Issues

Based on available information, staff is not aware of any environmental issues related to this item.

C. Program/Long Term Impacts

Based on available information, staff is not aware of any program impacts related to this item other than that this contract will help the Board implement its RAC program. Based on available information, staff is not aware of any long-term impacts related to this item.

D. Stakeholder Impacts

This item will provide direct engineering and technical assistance to local government agencies.

E. Fiscal Impacts

The funds for this item are coming from existing allocations. Staff is proposing that \$200,000 come from the RACTC line item and \$250,000 come from the Civil Engineering Uses line item from the FY 2004/2005 allocations in the Market Development Section of the current Five-Year Plan. Through the Five-Year Plan revision process, staff is also requesting additional funding for this effort in FYs 2005/2006 and 2006/2007 at a level of \$250,000 per fiscal year.

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this item.

G. Environmental Justice

Based on available information, staff is not aware of any environmental justice issues related to this item.

H. 2001 Strategic Plan

Goal 1: Increase participation in resource conservation, integrated waste management, waste prevention, and product stewardship to reduce waste and create a sustainable infrastructure.

Objective 1: Promote environmentally sound and financially viable waste prevention and materials management practices among all actors in the life cycle of products and services.

VI. FUNDING INFORMATION

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
Tire Recycling Management Fund	\$200,000	\$200,000	\$ 0	RACTC Allocation
Tire Recycling Management Fund	\$2350,000	\$250,000	\$ <u>100,000</u>	Civil Engineering Uses

VII. ATTACHMENTS

1. RAC Engineering and Technical Assistance Contract Scope of Work
2. Resolution 2005-37

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Nate Gauff

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B. Legal Staff: Holly Armstrong

Phone: (916) 341-6060

C. Administration Staff: Carol Baker

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IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Staff had not received any written support at the time this item was submitted for publication.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

California Integrated Waste Management Board

SCOPE OF WORK

Rubberized Asphalt Concrete Engineering And Technical Assistance

I. INTRODUCTION/OBJECTIVES

This contract is an important part of the Board's new direction for the delivery of Rubberized Asphalt Concrete (RAC) Program services aimed at increasing the use of RAC. Through this contract the Board will hire an engineering consultant with expertise in RAC processes and construction to help provide education, design, and technical assistance to local government agencies who want to increase their use of RAC. The engineering consultant will also provide construction management oversight on the proposed new user RAC grant projects.

The Engineering and Technical Assistance Contract will assist the Board, in partnership with local governments, to increase the use of RAC by expanding the knowledge of its engineering benefits and correct application procedures. The consultant chosen for this contract will work closely with local government agencies on RAC technology transfer and project construction. The contract may be used to fund research projects. These projects may be performed in partnership with local government and/or state agencies. The contract may also be used to provide technical assistance to Caltrans and/or industry as needed.

II. WORK TO BE PERFORMED

1. RAC technology transfer to local governments.
2. RAC engineering design consultation.
3. Construction management, technical assistance, and oversight.
4. Research investigations.

III. TASKS IDENTIFIED

Types of work anticipated include, but are not limited to:

1. Develop and implement a RAC technology transfer program for training local government personnel. The program will include RAC manufacturing processes, construction and inspection processes, material sampling and analysis techniques.
2. Assist in the development and implementation of informational and educational seminars for the promotion of RAC.
3. Assist in the development/review of engineering designs for local government RAC projects.
4. Provide construction management and inspection technical assistance for local government RAC projects.

5. Provide construction management oversight for the Board's New User RAC grant projects.
6. Review and critique technical standards and specifications for RAC materials and construction.
7. Perform research investigations of RAC issues and problems.
8. Provide general assistance for presentations, work planning, and meetings.
9. Consult with employees of the California Integrated Waste Management Board (CIWMB), other state and local agencies.
10. Coordinate efforts with the Northern and Southern Rubberized Asphalt Concrete Technology Centers, as appropriate.
11. Provide bi-monthly progress and cost tracking reports.

IV. CONTRACT/TASK TIME FRAME

It is anticipated that this contract will be awarded in June 2005 and expire in May 2007. Board staff will develop a work order for each task under this contract and the deliverables and time frame for the task will be included in the work order.

V. COPYRIGHT PROVISION

The contractor shall establish for the Board good title in all copyrightable and trademarkable materials developed as a result of this Scope of Work. Such title shall include exclusive copyrights and trademarks in the name of the State of California, California Integrated Waste Management Board.

VI. CALIFORNIA WASTE TIRES

Unless otherwise provided for in this Scope of Work, in the event the contractor and/or subcontractor(s) purchases waste tires or waste-tire derived products for the performance of this Scope of Work, only California waste tires and California waste tire-derived products shall be used. As a condition of payment under the agreement, the contractor shall be required to provide documentation substantiating the source of the tire materials used during the performance of this Scope of Work to the contract manager.

VII. WASTE REDUCTION AND RECYCLED-CONTENT PRODUCT PROCUREMENT

In the performance of this agreement, the contractor shall use recycled content, used or reusable products, and practice other waste reduction measures where feasible and appropriate.

Recycled Content Products: All products purchased and charged/billed to the CIWMB to fulfill the requirements of this contract shall be Recycled Content Products (RCPs), or used (reused, remanufactured, refurbished) products. All RCPs purchased or charged/billed to the CIWMB to fulfill the requirements of the contract shall have both the Total Recycled-Content (TRC) and the Postconsumer Content (PC) clearly identified on the products. Specific requirements for the aforementioned purchases and identification are discussed in the Terms and Conditions of the Contractual Agreement under Recycled-Content Product Purchasing and Certification.

The contractor should, at a minimum, ensure that the following issues are addressed, as applicable to the services provided:

A. WRITTEN DOCUMENT PROVISION

All documents and/or reports drafted for publication by or for the Board in accordance with this contract shall adhere to the Board's *Guidelines For Preparing CIWMB Reports (available upon request)* and shall be reviewed by the Board's Contract Manager in consultation with one of the Board's editors.

In addition, these documents and/or reports shall be printed double-sided on one hundred percent (100%) recycled-content paper (unless 100% recycled-content paper is not appropriate, such as where many full color photographs will be used, then paper with a minimum of fifty percent (50%) recycled-content may be used). The paper should identify the postconsumer recycled content of the paper (i.e., "printed on 50% postconsumer paper"). When applicable, the contractor shall provide the contract manager with an electronic copy of the document and/or report for the Board's uses.

To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents.

B. CONFERENCING PROVISION

The contractor shall take any and all steps necessary to make sure that the event is a model for future recycling, waste prevention, diversion, buy recycled, and waste management events.

Paper Products: All paper products used to fulfill the requirements of this contract (nametags, badges, letters, envelopes, brochures, etc) must contain at least 30% post-consumer recycled content fiber.

Re-usable Cups, Plates & Utensils: To the greatest extent possible, use re-usable/washable utensils, dishes, tableware, etc., rather than single-use disposable products.

Leftover Food/Beverages: All leftover food and/or beverages associated with the event will be donated to an established food donation outlet. Arrangements for the donation must be made prior to the date of the event. CIWMB staff will assist the contractor in identifying these donation outlets, if needed.

Recycling/Composting: Arrangements must be made with the venue, sponsor, or by contract, to provide adequate collection bins for recyclables, organics (food waste) or biodegradable materials, and trash (non-recyclables). The bins should contain at least 30% post-consumer plastic. In addition, the contractor shall work with the venue and/or sponsors to maximize diversion of the discarded materials.

Soy-based Printing Ink: To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents needed for the event.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-37 Revised

Consideration Of Scope Of Work For The Rubberized Asphalt Concrete Engineering And Technical Assistance Contract

WHEREAS, the State of California generates more than 33 million waste tires annually and in excess of 25 million of these are diverted from stockpiling or disposal in landfills; and

WHEREAS, the Public Resources Code sections 42800, *et seq.* established the waste tire program for the State of California and assigns responsibility to the California Integrated Waste Management Board (Board); and

WHEREAS, Senate Bill (SB) 876 (Escutia, Statutes 2000, Chapter 838) is a comprehensive measure that extended and expanded California's regulatory program related to the management of waste and used tires; and

WHEREAS, SB 876 required the submittal to the Legislature of a comprehensive Five-Year Plan for the management of waste tires in California; and

WHEREAS, the Board approved the *Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition Covering Fiscal Years 2003/2004-2007/2008)*, which includes activities to support the Board's rubberized asphalt concrete (RAC) initiatives; and

WHEREAS, at its December 2004 meeting, the Special Waste Committee approved the RAC program elements and directed staff to develop a scope of work for the Rubberized Asphalt Concrete Engineering and Technical Assistance Contract.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Scope of Work for the Rubberized Asphalt Concrete Engineering and Technical Assistance Contract and directs staff to proceed with the Request for Qualifications (RFQ) and procure a contractor to be approved by the Board.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director